

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**JONATHAN D. GERMANY, D.M.D,
APRIL BRYANT, R.H.D., and CHERIE NICOLE
POPE, R.P.H.**

PLAINTIFFS

VS.

CASE NO. 3:08CV470 HTW-LRA

**MISSISSIPPI BOARD OF DENTAL EXAMINERS,
and in their official and individual capacities,
JOHN WALTER STARR, JR., D.M.D.,
JAMES A. BOUNDS, D.M.D.,
ALVIN L. FELTS, JR., D.M.D.,
RHONDA C. HARPER, R.D.H.,
WILLIAM T. O'BRIEN, III, D.D.S.,
THURMOND BEASLEY, D.D.S.,
MARION LEWIS GRUBBS, D.M.D., and
ROBERT L. SMITH, JR., D.D.S.**

DEFENDANTS

AGREED ORDER OF DISMISSAL

This matter came before the Court upon the joint motion of the parties who have advised that they have reached a settlement (see Attached Exhibit A) and who request that the above entitled action be dismissed with prejudice, said dismissal with prejudice limited to those factual issues that were pending before the Mississippi State Board of Dental Examiners bearing MSBDE Docket Nos. 2007-076, 2008-060, and 2008-061; and that the remainder of the above entitled action be dismissed without prejudice. The Court finds that the parties' motion is well taken and should be granted. It is therefore,

ORDERED that the above entitled action be dismissed with prejudice, said dismissal with prejudice limited to those factual issues that were pending before the Mississippi State Board of Dental Examiners bearing MSBDE Docket Nos. 2007-076, 2008-060, and 2008-061. It

is further

ORDERED that the remainder of the above entitled action be, and is hereby, dismissed without prejudice. It is further

ORDERED that each party shall bear their own costs and expenses associated with this matter.

SO ORDERED this the 13th day of February, 2009.

s/ HENRY T. WINGATE
CHIEF UNITED STATES DISTRICT JUDGE

Agreed:

s/J. Edward Rainer
J. Edward Rainer, Esq.
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